

REMARKS

The present communication is responsive to the Official Action mailed December 21, 2007, rejecting all the claims pending in the application ("Official Action"). In particular, the Examiner rejected claims 33 through 48. Of the pending claims, claims 33, 39 and 43 are independent. All the other pending claims depend from one of these independent claims.

A three-month extension of time to respond, up to and including June 21, 2008, is filed concurrently herewith. Applicants have also filed concurrently herewith a formal request for an interview. Although the undersigned and the Examiner have exchanged communications in trying to schedule a telephonic interview, that interview did not take place as planned. Accordingly, applicants respectfully request an interview before further examination of the application.

In the Official Action, the Examiner rejected all the claims as being obvious under 35 U.S.C. §103(a) over the combination of U.S. Patent 5,973,420 to Kaiserman et al. ("Kaiserman") and U.S. Patent 5,626,948 to Ferber et al. ("Ferber"). (Official Action at 2, 6.) More specifically, the Examiner has rejected claims 33-35, 39 and 42-48 over only the *Kaiserman* reference, while claims 37 and 38 are rejected over the combination *Kaiserman* and *Ferber*. (*Id.*)

In rejecting claims 33 and 39, the Examiner asserts that although *Kaiserman* does not teach "a substantially non-conductive composition arranged on the substrate and having a first color; a substantially conductive composition having a second color that matches the first color, the conductive composition being arranged on the non-conductive composition and forming an open circuit area thereon," it would have been obvious to modify *Kaiserman* to provide this feature. (*Id.* at 3.) To support this portion of the rejection, the Examiner relies on

column 12, lines 15-25 of *Kaiserman*. This portion of *Kaiserman*, however, does not support the rejection. Rather it is the generic catch-all paragraph that is found in virtually all U.S. patents. More importantly, applicants respectfully submit that this portion of *Kaiserman* does not teach matching color compositions or anything more than what is disclosed in the rest of *Kaiserman*. In fact, the "numerous modifications" referred to in this part of *Kaiserman* are clearly not disclosed, hence the paragraph.

In rejecting the claims, the Examiner also relies on column 11, lines 11-57 of *Kaiserman*. Applicants respectfully submit, however, that this portion of *Kaiserman* teaches away from the claimed invention. In particular, *Kaiserman* makes it clear that a reference point is provided on the object that shows a user the location of the trigger point or switch. (*Kaiserman*, col.11, 11.24-27.) This teaching is in line with *Kaiserman's* entire disclosure, which is generally directed to using an "'invisible' material as opposed to a material that has a certain opacity or color associated with it" for the trigger point. (*Id.*, col.5, 11.27-32.) Put another way, *Kaiserman* teaches using clear compositions rather than color compositions to act as triggers to turn on an electrical circuit. (*Id.*, col.9, 11.26-27.) In contrast, each of the independent claims in the application recite matching the color of a conductive composition of the circuit path with the color of a non-conductive gap so as to mask the appearance of the trigger point or gap.

Indeed, *Kaiserman* clearly teaches away from color matching the conductive and non-conductive compositions. (*Id.*, col.4, 11.34-60; col.5, 11.24-32 and 11.48-50.) In fact, at column 9 lines 57-59, *Kaiserman* states:

"The advantage of using a clear coating is obvious. There is no color matching

necessary to accomplish making something conductive."

Thus, *Kaiserman* expressly teaches away from matching colors.

Further in this regard, the Examiner indicates that "Kaiserman also implies that there is an advantage for using a clear conductive composition when detail is not illustrated, it is easier to apply, you just have to spray the clear conductive composition on and the imperfections are not visible." (Official Action at 4.) Applicants respectfully submit that this further counsels away from the claimed invention. Indeed, *Kaiserman* makes it clear that "[a] color coating that is not evenly sprayed shows surface variations which equate to visible color shifts." (*Kaiserman*, col.9, ll.60-62.) Thus, the inescapable conclusion is to not use color compositions at all. Indeed, *Kaiserman* teaches opposite to the claimed invention.

In view of the foregoing, applicants respectfully submit that the claims are not rendered obvious by the art of record for at least the foregoing reasons. In particular, *Kaiserman* clearly teaches away from using color conductive compositions and includes no disclosure of using conductive and/or non-conductive compositions that have matching colors or substantially the same color. In this regard, the *Ferber* reference does not make up for the deficiencies in *Kaiserman*.

Accordingly, claim 33 is not obvious as it recites "a substantially conductive composition having a second color that matches the first color." Claim 39 is also not rendered obvious as it recites "this conductive and non-conductive composition having substantially the same color." Lastly, claim 43 is also not rendered obvious as it recites "a layer of conducting having substantially the same color as the non-conducting."

As all the remaining claims in the application depend from either of claims 33, 39 or 43, applicants respectfully

submit that those claims are also not rendered obvious for at least the foregoing reasons.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason it is believe that such action cannot be taken at this time, the Examiner is respectfully requested to telephone applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: June 20, 2008

Respectfully submitted,

By

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